

REMARKS

Claims 1-8 stand rejected under 35 U.S.C. 102(e) as being anticipated by Buzbee (U.S. Patent No. 5,815,720). In response, Applicant cancelled claims 5-6, and amend independent claims 1, 3, and 7 to clarify that the statistical processing records values assigned to variables in a procedure and the frequencies of assignment of the variables into a record in which a maximum number of values to be recorded is fixed, and respectfully traverse the rejection.

Buzbee is directed to the use of dynamic translation to collect and exploit run-time information and optimizing a compilation system. However, Buzbee does not disclose or suggest processing that ensures the correctness of a frequency of appearance to be recorded when the number of class of values is larger than one of the profile records. Buzbee is silent regarding whether the number of records of information recorded as profile information is fixed.

In contrast, a feature of the present invention is that in order to precisely collect the number of times of appearance of each value recorded on a statistic list of the appearance, it is necessary to perform a compiling process again, and calculate a frequency of appearance of the values recorded on the profile record even when a number of the class of values given to a variable in the procedure of the target program is larger than a fixed maximum number of profile records for the value. As described in paragraph [0021] of the present application, the present invention can result in correctness that cannot be resolved by conventional methods. More specifically, in

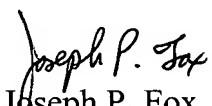
conventional methods, if there are more types of values assigned to variables obtained at the time of procedure execution than the number of value lists, then the sets of value and frequency stored in the value lists may be unreliable. Thus, the present invention can result in correctness that the conventional method may cause when recording values and their frequencies of appearance under conditions when the number of classes of values needs to be recorded more than the preset number of the profile records.

In addition, the present invention can extract a value which appears more often than a predetermined frequency of appearance (e.g., 50%) and optimize a program procedure in which the extracted values are given to a variable. Since Buzbee fails to disclose or suggest these features, withdrawal of the §102(e) rejection of claims 1-4 and 7-8 is respectfully requested.

For all of the foregoing reasons, Applicant submits that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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